

This listing of claims will replace all prior versions, and listings, of claims in the application. Kindly amend the above-entitled application as set forth below:

In The Claims:

Claims 1-37 are as originally submitted. Claims 38-64 are hereby added.

Claim 1 (original): A produce packaging system comprising in operative combination:

a basket including a basket body and a lid;

a latch for reversibly securing said lid to said basket body;

a first horizontal ventilation slot formed in an upper portion of said basket;

a second horizontal ventilation slot formed in an upper portion of said basket, said second horizontal ventilation slot being disposed substantially perpendicular to said first horizontal ventilation slot;

a tray for receiving therein said basket;

first cutaway portions defined by and disposed upon an upper portion of said tray, said first cutaway portions further disposed so as to align with said first horizontal ventilation slot; and

second cutaway portions defined by and disposed upon an upper portion of said tray, said second cutaway portions further disposed so as to align with said second horizontal ventilation slot.

Claim 2 (original): A basket for use in a produce packaging system including a tray for receiving therein the basket, the tray defining at least one first cutaway portion defined by and disposed upon an upper portion of said tray and at least one second cutaway portion defined by and disposed upon said upper portion of said tray, said first cutaway portion being disposed substantially perpendicular to said second cutaway portion, said basket comprising in operative combination:

a basket body;

a lid for closing said basket body;

a latch for reversibly securing said lid to said basket body;

a first horizontal ventilation slot formed in an upper portion of said basket and disposed so as to align with said first cutaway portion; and

a second horizontal ventilation slot formed in an upper portion of the basket, said second horizontal ventilation slot being disposed substantially perpendicular to said first horizontal ventilation slot and disposed so as to align with said second cutaway portion.

Claim 3 (original): The basket of claim 2 wherein said basket further comprises an upper vent.

Claim 4 (original): The basket of claim 3 wherein said upper vent is disposed on a substantially upper portion of said lid.

Claim 5 (original): The basket of claim 2 wherein said basket further comprises a lower vent.

Claim 6 (original): The basket of claim 5 wherein said lower vent is disposed on a substantially lower portion of said basket body.

Claim 7 (original): The basket of claim 2 wherein said basket body and said lid in operative combination further, define, when said lid is positioned in a secured position with respect to said basket body, at least one of said first horizontal ventilation slot and said second horizontal ventilation slot.

Claim 8 (original): The basket of claim 2 wherein said basket body further defines at least one of said first horizontal ventilation slot and said second horizontal ventilation slot.

Claim 9 (original): The basket of claim 2 wherein said lid further defines at least one of said first horizontal ventilation slot and said second horizontal ventilation slot.

Claim 10 (original): The basket of claim 2 wherein said latch wherein said latch is selected from the group consisting of: edge catch, button catch, snap, hook-and-loop closure, shrinkwrap banding, elastic band, and adhesive tape.

Claim 11 (original): The basket of claim 2 wherein said latch further comprises a pair of toothed vertically mating latches including a first engageable tooth disposed upon said basket body and a second engageable tooth disposed upon said lid.

Claim 12 (original): The basket of claim 11 wherein said latch further comprises a plurality of pairs of toothed vertically mating latches.

Claim 13 (original): The basket of claim 2 wherein said basket is a one-piece structure, said basket defining both said basket body and said lid as an integral unit.

Claim 14 (original): The basket of claim 13 wherein said basket further defines a flexible hinge joining said basket body and said lid.

Claim 15 (original): The basket of claim 14 wherein at least one of said first horizontal ventilation slot and said second horizontal ventilation slot is defined in said flexible hinge.

Claim 16 (original): A tray for use in a produce packaging system including a basket, the tray for receiving therein said basket, said basket including a basket body and a lid, a latch for reversibly securing said lid to the basket body, a first horizontal ventilation slot formed in an upper portion of said basket and a second horizontal ventilation slot formed in an upper portion of said basket, said second horizontal ventilation slot being disposed substantially perpendicular to said first horizontal ventilation slot, the tray comprising in operative combination:

first cutaway portion defined by and disposed upon an upper portion of said tray, said first cutaway portions further disposed so as to align with said first horizontal ventilation slot; and

second cutaway portions defined by and disposed upon an upper portion of said tray, said second cutaway portion being disposed substantially perpendicular to said first cutaway portion, further disposed so as to align with said second horizontal ventilation slot.

Claim 17 (original): The tray of claim 16 wherein said tray further comprises a bottom, first and second ends, and first and second sides.

Claim 18 (original): The tray of claim 17 further comprising a tab formed in an upper portion of at least one of said first and second ends.

Claim 19 (original): The tray of claim 18 further comprising a receptacle formed in a lower portion of at least one of said first and second ends, said receptacle for receiving therein said tab formed in a second tray.

Claim 20 (original): A produce packaging system comprising in operative combination:

- a basket including a basket body and a lid;
- a latch for reversibly securing said lid to said basket body;
- a ventilation channel formed in a lower surface of said basket body;
- a first horizontal ventilation slot formed in an upper portion of said basket;
- a second horizontal ventilation slot formed in an upper portion of said basket, said second horizontal ventilation slot being disposed substantially perpendicular to said first horizontal ventilation slot;
- a lower vent further disposed on said lower surface of said basket body in communication with said ventilation channel;
- a tray for receiving therein said basket, said tray defining paired lower tray vents disposed upon a lower portion of said tray, said lower tray vents further disposed so as to align with said ventilation channel when said basket is installed in said tray;
- first cutaway portion defined by and disposed upon an upper portion of said tray, said first cutaway portion further disposed so as to align with said first horizontal ventilation slot; and
- second cutaway portion defined by and disposed upon an upper portion of said tray, said second cutaway portion further disposed so as to align with said second horizontal ventilation slot.

Claim 21 (original): A basket for use in a produce packaging system including a tray for receiving therein said basket, said tray defining paired lower tray vents disposed upon a lower portion of said tray, first cutaway portions defined by and disposed upon an upper portion of said tray, and second cutaway portions defined by and disposed upon an upper portion of said tray, said basket comprising, in operative combination:

- a basket body;
- a lid for closing said basket body;
- a latch for reversibly securing said lid to said basket body;
- a ventilation channel formed in a lower surface of said basket body;

a lower vent further disposed on said lower surface of said basket body in communication with said ventilation channel;

a first horizontal ventilation slot formed in an upper portion of said basket; and

a second horizontal ventilation slot formed in an upper portion of said basket, said second horizontal ventilation slot being disposed substantially perpendicular to said first horizontal ventilation slot.

Claim 22 (original): The basket of claim 21 wherein said upper vent is disposed on a substantially upper portion of said lid.

Claim 23 (original): The basket of claim 21 wherein said basket body and said lid in operative combination further define, when said lid is positioned in a secured position with respect to said basket body, at least one of said first horizontal ventilation slot and said second horizontal ventilation slot.

Claim 24 (original): The basket of claim 21 wherein said basket body further defines at least one of said first horizontal ventilation slot and said second horizontal ventilation slot.

Claim 25 (original): The basket of claim 21 wherein said lid further defines at least one of said first horizontal ventilation slot and said second horizontal ventilation slot.

Claim 26 (original): The basket of claim 21 wherein said latch further comprises a pair of toothed vertically mating latches including a first engageable tooth disposed upon said basket body and a second engageable tooth disposed upon said lid.

Claim 27 (original): The basket of claim 26 wherein said latch further comprises a plurality of pairs of toothed vertically mating latches.

Claim 28 (original): The basket of claim 21 wherein said basket is a one-piece structure, said basket defining both said basket body and said lid as an integral unit.

Claim 29 (original): The basket of claim 28 wherein said basket further defines a flexible hinge joining said basket body and said lid.

Claim 30 (original): The basket of claim 29 wherein at least one of said first horizontal ventilation slot and said second horizontal ventilation slot is defined in said flexible hinge.

Claim 31 (original): A tray for use in a produce packaging system including a basket, the tray for receiving therein said basket, said basket including a basket body and a lid, a latch for reversibly securing said lid to said basket body, a ventilation channel formed in a lower surface of said basket body, a first horizontal ventilation slot formed in an upper portion of said basket and a second horizontal ventilation slot formed in an upper portion of said basket, said second horizontal ventilation slot being disposed substantially perpendicular to said first horizontal ventilation slot, the tray comprising in operative combination:

- a lower tray vent disposed upon a lower portion of said tray, said lower tray vents further disposed so as to align with said ventilation channel when said basket is installed in said tray;

- a first cutaway portion defined by and disposed upon an upper portion of said tray, said first cutaway portion further disposed so as to align with said first horizontal ventilation slot; and

- a second cutaway portion defined by and disposed upon an upper portion of said tray and being disposed substantially perpendicular to said first cutaway portion, said second cutaway portion further disposed so as to align with said second horizontal ventilation slot.

Claim 32 (original): The tray of claim 31 wherein said tray further comprises a bottom, first and second ends, and first and second sides.

Claim 33 (original): The tray of claim 32 further comprising a tab formed in an upper portion of at least one of said first and second ends.

Claim 34 (original): The tray of claim 32 further comprising a receptacle formed in a lower portion of at least one of said first and second ends, said receptacle for receiving therein said tab formed in a second tray.

Claim 35 (original): A produce packaging system comprising in operative combination:

- a basket including a basket body and a lid;

- a latch for reversibly securing the lid to the basket body;

- a ventilation channel formed in a lower surface of the basket body to align with the lower tray vents when the basket is installed in the tray;

a first horizontal ventilation slot formed in an upper portion of the basket to align with the first cutaway portions of the tray when the basket is installed in the tray;

a second horizontal ventilation slot formed in an upper portion of the basket, the second horizontal ventilation slot being disposed substantially perpendicular to the first horizontal ventilation slot and formed to align with the second cutaway portions of the tray when the basket is installed in the tray;

a lower vent further disposed on the lower surface of the basket body in communication with the ventilation channel;

a tray for receiving therein the basket, the tray comprising a bottom, first and second ends and first and second sides;

paired lower tray vents disposed on a lower portion of the first and second ends, the lower tray vents further disposed so as to align with the ventilation channel when the basket is installed in the tray;

first cutaway portions defined by and disposed upon an upper portion of the tray and disposed so as to align with the first horizontal ventilation slot when the basket is installed in the tray; and

second cutaway portions defined by and disposed upon an upper portion of the tray and disposed so as to align with the second horizontal ventilation slot when the basket is installed in the tray.

Claim 36 (original): A basket for use in a produce packaging system including a tray for receiving therein the basket, the tray defining paired lower tray vents disposed upon a lower portion of the tray, first cutaway portions defined by and disposed upon an upper portion of the tray and second cutaway portions defined by and disposed upon an upper portion of the tray, the basket comprising in operative combination:

a basket including a basket body and a lid;

a latch for reversibly securing the lid to the basket body;

a ventilation channel formed in a lower surface of the basket body to align with the lower tray vents when the basket is installed in the tray;

a first horizontal ventilation slot formed in an upper portion of the basket to align with the first cutaway portions of the tray when the basket is installed in the tray;

a second horizontal ventilation slot formed in an upper portion of the basket, the second horizontal ventilation slot being disposed substantially perpendicular to the first horizontal

ventilation slot and formed to align with the second cutaway portions of the tray when the basket is installed in the tray; and

a lower vent further disposed on the lower surface of the basket body in communication with the ventilation channel.

Claim 37 (original): A tray for use in a produce packaging system including a basket receivable into said tray, the basket including a basket body and a lid, a latch for reversibly securing the lid to the basket body, a ventilation channel formed in a lower surface of the basket body, a first horizontal ventilation slot formed in an upper portion of the basket, a second horizontal ventilation slot formed in an upper portion of the basket, the second horizontal ventilation slot being disposed substantially perpendicular to the first horizontal ventilation slot and a lower vent further disposed on the lower surface of the basket body in communication with the ventilation channel, the tray comprising, in operative combination:

a tray for receiving therein the basket, the tray comprising a bottom, first and second ends and first and second sides;

paired lower tray vents disposed on a lower portion of the first and second ends, the lower tray vents further disposed so as to align with the ventilation channel when the basket is installed in the tray;

first cutaway portions defined by and disposed upon an upper portion of the tray and disposed so as to align with the first horizontal ventilation slot when the basket is installed in the tray; and

second cutaway portions defined by and disposed upon an upper portion of the tray and disposed so as to align with the second horizontal ventilation slot when the basket is installed in the tray.

Please ADD the following claims:

-- **38 (added):** A produce container comprising:

a basket body;

a lid for covering the basket body;

a latch for securing the lid to said basket body;

at least one ventilation slot formed between the basket body and the lid.

39 (added): The produce container of Claim 38 wherein the at least one ventilation slot includes at least two ventilation slots formed between the basket body and the lid, the at least two ventilation slots arranged so that a bi-directional airflow of cooling air can pass through the interior of the container.

40 (added): The produce container of Claim 39 wherein the lid is attached to the basket body using a hinge and wherein the hinge includes at least one ventilation slot formed therein.

41 (added): The produce container of Claim 39 wherein the produce container is configured for use with a tray, the tray capable of holding a plurality of the produce containers and including a plurality of ventilation apertures arranged in the sidewalls of the tray to facilitate bi-directional cooling airflow through the tray and facilitate bi-directional cooling airflow through any produce containers placed therein, wherein the at least two ventilation slots of the produce container, formed between the basket body and the lid, are arranged so that a bi-directional airflow of cooling air can pass through the interior of the container.

42 (added): The produce container of Claim 41 wherein at least some of the at least two ventilation slots of the produce container are configured so that they are capable of being aligned with associated ventilation apertures of the sidewalls of the tray when the produce container is placed within the tray thereby facilitating bi-directional cooling airflow through the tray and through the produce container.

43 (added): The produce container of Claim 41 for use with a tray having other produce containers loaded in the tray, wherein the at least two ventilation slots of the produce container are configured so that they are capable of being aligned with associated ventilation apertures of the sidewalls of the tray and with ventilation slots of other produce containers in the tray when the produce container is placed within the tray thereby facilitating bi-directional cooling airflow through the tray, the other produce containers, and the produce container.

44 (added): The produce container of Claim 39 wherein the basket body includes a substantially flat bottom surface.

- 45 (added):** The produce container of Claim 39 wherein a bottom surface of the produce container includes a ventilation channel that enables cooling air to flow underneath the container.
- 46 (added):** The produce container of Claim 45 wherein the bottom surface of the produce container includes at least one lower aperture in communication with the ventilation channel that enables cooling air to flow underneath the container.
- 47 (added):** The produce container of Claim 39 wherein the latch for securing the lid to said basket body comprises a latching means for reversibly securing the lid to the basket body.
- 48 (added):** The produce container of Claim 39 wherein the latch for securing the lid to said basket body is selected from among the group consisting of: tooth engagement latches; edge catch latches; button latches; hook-and-loop closures; shrinkwrap banding; elastic banding; and adhesive tape.
- 49 (added):** The produce container of Claim 38 wherein at least one of the basket body and the lid include structural ribbing.
- 50 (added):** The produce container of Claim 38 wherein the basket body and the lid are devoid of structural ribbing.
- 51 (added):** The produce container of Claim 39 wherein at least one of the basket body and the lid include structural ribbing.
- 52 (added):** The produce container of Claim 39 wherein the basket body and the lid are devoid of structural ribbing.
- 53 (added):** The produce container of Claim 38 wherein the lid is attached to the basket body using a hinge and wherein the hinge includes at least one ventilation slot formed therein.
- 54 (added):** The produce container of Claim 39 wherein the basket body includes a front portion, a back portion, and two opposing side portions;
and

wherein the at least two ventilation slots include: front ventilation slot formed between the basket body and the lid at the front portion of the container, back ventilation slot formed between the basket body and the lid at the back portion of the container, and side ventilation slots formed between the basket body and the lid at each of the opposing side portions of the container, thereby accommodating bi-directional airflow of cooling air that can pass through the interior of the container.

55 (added): The produce container of Claim 54 wherein the lid is attached to the basket body using a hinge connecting the lid to the basket body at the back portion of the body, the hinge having at least one ventilation slot formed therein.

56 (added): The produce container of Claim 54 wherein said front ventilation slot includes a plurality of ventilation slots formed between the basket body and the lid at the front portion of the container.

57 (added): The produce container of Claim 54 wherein said side ventilation slots include at least one ventilation slot formed between the basket body and the lid at each of the opposing side portions of the container.

58 (added): A produce container comprising:

a basket body;

a lid for closing said basket body;

a latch for reversibly securing said lid to said basket body;

at least two ventilation slots formed between the basket body and the lid, the at least two ventilation slots arranged so that an airflow of cooling air can pass through the interior of the container.

59 (added): The produce container of Claim 58 wherein the produce container is configured for use with a tray, the tray capable of holding a plurality of the produce containers and including a plurality of ventilation apertures arranged in the sidewalls of the tray to facilitate a cooling airflow through the tray and facilitate cooling airflow through any produce containers placed therein, wherein the at least two ventilation slots, formed between the basket body and the lid of the container, are disposed on the container so that when the container is placed within the

tray the ventilation slots are in substantial alignment with the selected ventilation apertures of the tray so that an airflow of cooling air can pass through the interior of the container.

60 (added): The produce container of Claim 58 wherein the basket body includes a substantially flat bottom surface.

61 (added): The produce container of Claim 58 wherein a bottom surface of the produce container includes a ventilation channel that enables cooling air to flow underneath the container.

62 (added): The produce container of Claim 61 wherein the bottom surface of the produce container comprises an arched surface that operates as a ventilation channel that enables cooling air to flow underneath the container.

63 (added): The produce container of Claim 58 wherein at least one of the basket body and the lid include structural ribbing.

64 (added): The produce container of Claim 58 wherein the basket body and the lid are devoid of structural ribbing. --

REMARKS

Applicants' attorney kindly requests entry and examination of the added claims 38-64. Claims 1-64 are now pending in the application. If any additional fees are due in connection with the filing of this Preliminary Amendment, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-0388 (Order No. SMBRP001).

Respectfully submitted,
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A handwritten signature in black ink, appearing to read 'F T Kalinski II', written in a cursive style.

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